

Exhibit “G”



IN THE UNITED STATES DISTRICT COURT
OF DELAWARE

WAYNE VAN SCOY : C.A. NO. 05-108 (KAJ)
:
vs. :
:
VAN SCOY DIAMOND MINE OF :
DELAWARE, INC., KURT VAN :
SCOY and DONNA VAN SCOY :

Oral deposition of WAYNE VAN SCOY,
taken on behalf of the Defendant, in the Law
Offices of BURKE & BURKE, 1460 Wyoming Avenue,
Forty Fort, Pennsylvania, on Tuesday, October 4,
2005, commencing at or about 11:40 a.m., before
Patricia A. Lipski, Registered Professional
Reporter - Notary Public.

LOVE COURT REPORTING, INC.
1500 Market Street
12th Floor, East Tower
Philadelphia, Pennsylvania 19102
(215) 568-5599

Wayne Van Scoy

1 A. Yes.

2 Q. If you need to take a break at any time, feel
3 free to tell me that, and I'll be happy to go off
4 the record and we can do that. Okay?

5 A. Yes.

6 Q. Did you prepare -- did you do anything to
7 prepare for this deposition today?

8 A. Got some things together, what we produced to
9 you.

10 Q. Did you do anything else?

11 A. No. Nothing I can think of.

12 Q. Do you currently hold a position with Rings of
13 Romance?

14 A. Yes.

15 Q. And what is that position?

16 A. President.

17 Q. How long have you been president of Rings of
18 Romance?

19 A. Since it opened up, '95.

20 Q. 1995?

21 A. Yes.

22 Q. Do you remember the month?

23 A. Not exactly, no.

24 Q. Have you been president from the time it

Wayne Van Scoy

1 A. Until I opened back up or until I opened it
2 back up.

3 Q. In 1995?

4 A. Yes.

5 Q. Do you recall how many months past from the
6 time the doors closed until you opened it up?

7 A. Approximately ten.

8 Q. Ten months?

9 A. Yes.

10 Q. So would that have been in the fall sometime?

11 A. Yes. If I remember correctly.

12 Q. Did you receive any assistance from your
13 father in opening the store back up in the fall of
14 1995?

15 MR. PETOCK: Objection. Leading.

16 BY MS. MORGAN:

17 Q. You can answer it.

18 A. Say that again. Did I --

19 Q. Did your father help you out at all?

20 MR. PETOCK: Objection.

21 MR. QUINN: On what basis?

22 MR. PETOCK: Leading.

23 THE WITNESS: He was around the house.

24 We talked a lot about different things. I'm

Wayne Van Scoy

1 A. That's okay.

2 A. -- thanking me for helping.

3 Q. You lived with them at the time?

4 A. Yes.

5 Q. At the time you opened the -- started
6 operating the store in 1995, what was the name of
7 the sign on the building, if any?

8 A. Van Scoy Diamond Mine.

9 Q. How many signs were on the building at that
10 time?

11 A. One.

12 Q. And was it in the front or somewhere else?

13 A. There's a marquee out front, but there's one
14 on the building.

15 Q. Was there a marquee at the time as well?

16 A. Yes.

17 Q. Did that say Van Scoy Diamond Mine?

18 A. Yes.

19 Q. At any point in time did the number of signs
20 change?

21 A. Yes.

22 Q. And when was that?

23 A. I'm pretty sure, if I remember correctly, we
24 had to change them in '98 or '99. Somewhere in

Wayne Van Scoy

1 that area.

2 Q. What was the change?

3 A. To Van Scoy Diamond Center. Van Scoy
4 Diamonds, Van Scoy Ctr.

5 Q. Was it Van Scoy Diamonds and Van Scoy --

6 A. Our marquee was Van Scoy Diamonds where
7 customers see, and the other smaller one, it's not
8 really outstanding, on the side of the building is
9 Ctr. We had to get rid of Mine. Diamonds would
10 have been off center. Van Scoy Diamond Mine, Van
11 Scoy Diamond, so Center. Just Ctr, not center.

12 Q. Why did the name on the marquee change?

13 A. The bankruptcy court made us change it.

14 Q. And why was Van Scoy Diamond Center added to
15 the side?

16 A. I just explained that.

17 Q. Because of the bankruptcy as well?

18 A. Yeah. Yeah.

19 Q. The bankruptcy court required you to put up an
20 additional sign?

21 A. No. They made us change the name to -- just
22 we felt it was going to be okay possibly to use Van
23 Scoy Diamonds, still sweating it out, you know, and
24 then because the sign said Van Scoy Diamond Mine,

Wayne Van Scoy

1 Q. It just took them three years to get it done?

2 A. My mom and dad got sick and you get tied up.
3 It's bad enough running a business, let alone
4 trying to get your mom and dad to the best
5 hospitals.

6 Q. They changed the marquee sign in 2004?

7 A. Yes.

8 Q. What happened to the sign on the side of the
9 building?

10 A. Nothing. It's still the same.

11 Q. Can you tell me why that is?

12 A. Just -- it cost 1200 bucks to do it. You
13 can't really see it. It doesn't stand out. It's
14 not that it's designed to be advertised or get
15 customers in with it.

16 It's something that my dad did, like
17 written in stone, he described it as.

18 Q. What period of time did you hold yourself out
19 as Van Scoy Diamond Center.

20 A. To the public?

21 Q. Yes.

22 A. From the time they told us, which was '98,
23 '99 until 2001.

24 Q. At the time you were told to change your name

Wayne Van Scoy

1 Q. The period of time in which you were
2 instructed by the bankruptcy court to change the
3 name?

4 A. Start with the original question.

5 Q. Say from 1998 to 2001, is that an accurate --

6 A. That's when I had to use Diamond Center or
7 Diamonds, yes.

8 Q. And what did the radio ads say during that
9 time frame?

10 A. Van Scoy's on Mundy Street, go to Van Scoy's
11 on Mundy Street, somehow or way, just to avoid the
12 name mine.

13 Q. Who did the radio spots during that time
14 frame?

15 A. My dad was doing them up until he got sick.
16 '98 I think it was. '98, '99. Somewhere in that
17 area.

18 Q. How about after he got sick?

19 A. I did them.

20 Q. After you changed your name back, did you
21 continue to use the same radio spots or did you
22 change them?

23 A. No. I did my own. I can't use it when the
24 guy is in a hospital bed, you know what I mean. I

Wayne Van Scoy

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1 Q. Has it ever?

2 A. No.

3 Q. Do you anticipate operating a website?

4 A. Yes.

5 Q. When did you first have an interest in setting
6 up a website?

7 A. I talked about it. I'm not a computer-type
8 person. People say oh, it's going to become big.
9 So I talked about it with my friends back in 2000
10 probably.

11 Q. Those conversations were with your friends?

12 A. Yeah. Talking about the internet stuff.

13 Q. Friends in the computer business or just
14 friends?

15 A. Friends.

16 Q. What was the substance of those conversations?

17 A. How the computers are going to be taking over
18 everything, you know. I can't see that happening.

19 Q. Is that why you never set up --

20 A. The year 2000 because when it was going from
21 '99 -- whenever the change was from 2000 to 2001,
22 that big time.

23 Q. When you say the change, what do you mean?

24 A. Remember they said all the computers were

Wayne Van Scoy

1 going to get goofed up.

2 MR. QUINN: Y2K.

3 THE WITNESS: Y2K, yes.

4 BY MS. MORGAN:

5 Q. After Y2K came and went without any great
6 fanfare, did you start thinking about setting up a
7 website?

8 A. You hear about it. You always think about it.
9 Should I? Shouldn't I?

10 Q. So when did you have the epiphany that you
11 should have a website?

12 A. In the last year or so or two, you see more
13 and more doing it. Geez, is it working? Isn't it
14 working? You hear about some that fail.

15 Q. When you say fail, what do you mean by that?

16 A. From what I hear, people in the diamond
17 business on the internet aren't making it that
18 great.

19 Q. Meaning internet businesses?

20 A. Yes. You always hear of some that fail, and
21 some that do really good. So all kinds.

22 Q. Just for purposes of clarification, are you
23 talking about setting up an internet site for
24 purposes of doing business via the internet or are

Wayne Van Scoy

1 in the state of Delaware?

2 A. With Alan.

3 MR. PETOCK: Objection. It's beyond the
4 scope of this 30 B 6. Unless you're asking
5 if Rings of Romance --

6 MS. MORGAN: I'm asking if Rings of
7 Romance does.

8 THE WITNESS: No.

9 BY MS. MORGAN:

10 Q. Is that something Rings of Romance has ever
11 considered?

12 A. I would have to talk to my counsel or a
13 counsel to see what's the proper way to handle it.

14 Q. To handle what?

15 A. Legal advice.

16 Q. Legal advice about what?

17 A. Whether it should be me or Rings of Romance.

18 REDACTED

19
20 REDACTED

21 REDACTED

22
23 REDACTED

24 Q. And that statement is based upon what?

Wayne Van Scoy

1 Q. And you think that's all you'd need?

2 A. Name recognition is powerful.

3 Q. What is the recognition of that name in your
4 estimation?

5 A. Up and down the East Coast. Up and down the
6 East Coast. It's a chain of stores that we were
7 running.

8 Q. What about them?

9 A. It was advertised. A lot of towns up and down
10 the East Coast. It's just -- I don't know.

11 Q. So what do you think people think of when they
12 see or hear the name Van Scoy Diamond Mine?

13 A. Diamond jewelry.

14 Q. Anything else?

15 A. It's a reputable place.

16 Q. Anything else?

17 A. Nothing I can think of.

18 Q. Any other store with the Van Scoy name on it
19 competing with Rings of Romance today?

20 A. No.

21 Q. So if Kurt operated a store that said Van Scoy
22 Jewelers, would that be okay?

23 A. It would fall under confusion because the
24 word Van Scoy is there, confusion to a customer.